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C O N F I D E N T I A L BOGOTA 003527

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SUBJECT: COLOMBIA DEBRIEF ON UNASUR MEETING GENERALLY POSITIVE, BUT
VENEZUELA STILL AN ISSUE

REF: BOGOTA 3457; BOGOTA 3515

CLASSIFIED BY: Brian A. Nichols, Charge d'Affaires; REASON: 1.4(B),
(D)

11. (C) SUMMARY: Vice Foreign Minister Forero told the Deputy Chief of Mission on November 30 that the Colombian government was pleased with the outcome of the UNASUR ministerial in Quito, noting in particular that Brazil was more conciliatory than in prior meetings. A key result was a consensus resolution requiring cooperation on counter-terrorism issues, including notifying UNASUR members of security and defense agreements with third countries. UNASUR acknowledged Colombia had complied with previous requests made at the August summit in Argentina to make public the text of the Defense Cooperation Agreement (DCA) and to provide guarantees that the DCA did not threaten other UNASUR countries. Vice Foreign Minister Forero said the GOC was contemplating a response to Venezuela's letter to the UN Security Council (UNSC) denouncing the DCA, but agreed the letter had not resonated with UNSC members. Turning to other bilateral tensions with Venezuela, Forero said the GOC planned to raise the October 24 murders of nine Colombians in Venezuela with the Inter American Human Rights Court and the UN Special Rapporteur for Extrajudicial Executions. Forero also expressed strong concerns about Venezuela's reported expulsion of 7,000 Colombians and said the GOC would echo our call on the United Nations High Commissioner for Refugees (UNHCR) and on the International Organization for Migration (IOM) to investigate the migration situation. Forero doubted that the international community would sound the alarm on Venezuela's potential human rights violations against Colombian and other migrants, as well as overall deteriorating domestic conditions. End Summary.

UNASUR RESOLUTION: LET'S ALL SHARE MORE DEFENSE INFO AND COOPERATE

12. (C) Vice FM Forero said Venezuela was isolated in its attempt to make an issue out of the DCA at the November 27 UNASUR ministerial in Quito, and that a key result was a resolution that outlines

cooperation on counter-terrorism issues. The resolution, among other measures, calls for the creation of a network to share information about defense policies; includes a requirement for UNASUR members to notify other UNASUR members when pursuing intra and interregional military agreements with third countries; encourages members to allow fellow UNASUR nations to observe military exercises with third countries, and emphasizes security cooperation to confront narco-trafficking, illegal armed groups, and safeguard human rights. The UNASUR Defense Council will manage the implementation of reporting requirements. Although Venezuelan compliance is unlikely, Forero explained that the resolution requires Venezuela to disclose details on bilateral military agreements with Russia and Iran (and requires Brazil to disclose details of agreements with France). She stated the resolution does not unfairly chastise Colombia for signing the DCA.

13. (C) Forero expressed concern about Venezuela's 34-page letter to the UNSC about the DCA and said the Colombian government would carefully analyze it to determine if a response was warranted. Forero also inquired about whether incoming UNSC president Burkina Faso would push the DCA onto the agenda, and asked for our advice on seeking meetings with the other UNSC permanent member missions in Colombia. The DCM said the USG would work closely with the Colombian UN Permanent Representative, Mexico and Costa Rica to manage UNSC reaction, noting it was unlikely that Burkina Faso would focus on the DCA and that Colombia should let events play out naturally. Forero confirmed that FM Bermudez planned to meet with Mexican President Calderon and Foreign Secretary Espinosa.

COLOMBIANS IN IRREGULAR MIGRANT STATUS, VENEZUELA PROBLEMS GETTING WORSE

14. (C) Forero raised the increasing problems Colombians living in Venezuela face and spoke at length about unconfirmed reports of 7,000 Colombians being expelled, noting that the GOC had requested that the GOC's development agency (Accion Social) and the International Committee of the Red Cross (ICRC) look into the situation. DCM said the USG was equally concerned, that we were in touch with UNHCR and IOM and that the Embassy Refugee Coordinator would travel soon to the affected border areas to investigate further. Forero said that approximately 500 Colombian gold miners and at least 55 Brazilians across the border from Guainia Department found themselves in an "irregular migrant status." She indicated that Venezuelan officials had sold some miners Venezuelan identification cards to prevent expulsion.

15. (C) Regarding the October 24 incident in which nine Colombians were murdered in Santander (which borders Venezuela in the North), Forero pointed out that the lone survivor of the ambush was being held against his will in a Venezuelan hospital and that the Colombian Consul in Venezuela had been permitted only one visit with him. As such, the GOC planned to present the case to the Inter American Human Rights Court as well as to UN Special Rapporteur for Extrajudicial Executions, Philip Alston. Families of the nine murdered youths had also presented complaints in Geneva and had consulted with Colombia's Human Rights Ombudsman (Defensor del Pueblo).

16. (C) COMMENT: Forero seemed satisfied with the outcome of the UNASUR ministerial, and made a point of highlighting repeatedly Brazil's eventual acquiescence that Colombia had done what was necessary to reassure UNASUR members about the DCA. Colombia hopes the recent UNASUR resolution will put Brazil at ease once and for all, but remains nervous about whether the UNSC will take action on Venezuela's letter condemning the DCA. Forero was clearly frustrated that the international community had not taken Chavez to task about Venezuela's international migration obligations as well as domestic human rights abuses, including restrictions on freedom of speech. End Comment.

17. (U) Begin text of unofficial translation of UNASUR resolution:

The Ministers of Foreign Relations and Defense of the Union of

South American Nations (UNASUR), in the Extraordinary Meeting celebrated in Quito, Ecuador, the 15th of September and the 27th of November of 2009, pursuant to the Presidential Mandate recorded in Bariloche, Argentina on the 28th of August 2009, and reiterating the decision to strengthen South America as a zone of peace, resolve:

To establish the following mechanism of Confidence Building Measures, including concrete measures of implementation and guarantees.

1. DESCRIPTION OF CONFIDENCE BUILDING MEASURES

I. INFORMATION EXCHANGE AND TRANSPARENCY

A. Defense Systems:

- a. Create a network for information exchange about defense policies.
- b. Information about organizations, duties and procedures of the ministries of defense.
- c. Information about military forces: troops, weapons and equipment.
- d. Establishment of a databank of UNASUR countries on the registration of transfer and acquisition of equipment and Conventional Arms, in addition to the information that must be sent to the United Nations and Organization of American States.
- e. Development of a notification mechanism and registration with UNASUR of the full text of regional and external cooperation agreements in matters of defense and security once approved, including the general objectives, scope and duration of these, as well as the registration of acquisitions and transfers of weapons and equipment. This mechanism, at the request of the notifying party, will respect the principle of confidentiality.
- f. Answer questions that are required by other Member States and consult on the defense issues that they consider pertinent.

B. Defense Expenditures:

- a. Report on defense spending of the previous fiscal year on the basis of the categories set out in the United Nations' "Instrument for standardized international reporting of military expenditures."
- b. Gradual remission of defense budgets of the last five years to the South American Defense Council.
- c. Report on the national defense budget in all its stages: formulation, approval, execution and control and to homologate the information from the South American Defense Council on defense expenditure to establish a standardized measurement of the same.
- d. The information and notifications made within the scope of this chapter I should also be available on the websites of the respective Ministries of Defense.

II. REGIONAL AND EXTRATERRITORIAL MILITARY ACTIVITIES.

- a. Notify in advance the respective neighboring Member Countries and UNASUR, any maneuver, military deployment or exercise, terrestrial, aerial or naval planned and, as soon as possible, the unplanned activities in border areas in terms of number of troops,

location on the borders, nature and amount of equipment that will be used. At the request of the notifying party, the notified parties will respect the strict confidentiality of the information.

b. Notify UNASUR of the development of the military exercises either with regional or extraterritorial countries.

c. Invite military observers from UNASUR countries to the international exercises previously mentioned.

d. Establish mechanisms of communication between border military forces to coordinate and inform their activities.

III. SECURITY MEASURES:

a. Coordinate the activities between two or more countries of UNASUR to enhance efficiency control and surveillance in border areas, and the prevention and suppression of illicit transnational activities.

b. Develop and improve national marking systems, weapons tracking and active collaboration between the Member States of UNASUR in clarifying arms deviation cases, smuggling and illegal use of weapons under their custody or from their territory, of which will be periodically reported to UNASUR.

c. Take the necessary measures to prevent and avoid the presence or action of armed groups operating outside the law, whatever their origin.

d. Refrain from providing any support, active or passive, to the organizations or persons involved in terrorist acts and prevent those who finance, plan or commit terrorist acts from using territories for such purposes against other states and their citizens, in accordance with the international instruments and national legislation applicable. Also investigate and prosecute all persons connected with such identified activities.

e. Member States of UNASUR reaffirm their unwavering commitment to strengthen democracy and the defense of the human rights and in that sense reiterate their most vehement repudiation of any disruption of constitutional and democratic order and of any coup attempt, as well as their commitment to not provide any support to organizations or persons that participate in coups, deny safe haven to those who collaborate, finance, plan, or carry out coups, provide judicial cooperation to answer for their actions in accordance with International Law and applicable national legislation. Member States also reiterate their determination not to recognize governments emerging from coups or which alter constitutional order.

IV. GUARANTEES:

a. The use or threat of use of force between Member States of UNASUR is rejected, as well as any kind of military aggression or threats to the stability, sovereignty and territorial integrity of other Member States.

b. Guarantee that South America is preserved as a free zone of nuclear weapons and ensure that nuclear technology is used exclusively for peaceful purposes in accordance with the Agreement of Tlatelolco and other international conventions on the subject.

c. The cooperation agreements on defense celebrated by the Member States of UNASUR will include a clause to ensure respect of the principles of equal sovereignty of the States, the integrity and territorial inviolability and nonintervention in the internal affairs of other States.

d. The Member States of UNASUR will formally guarantee that the cooperation agreements on defense to which they are party and that involve some degree of presence in their territories of military or civilian personnel and/or of armament and equipment from regional States or third countries will not be used in a way that harms the sovereignty, security, stability and the territorial integrity of

South American States. Member States will ensure that the

activities arising from these agreements will have no effects of any kind on the territory and the sovereign space of any other Member State of UNASUR.

IV. COMPLIANCE AND VERIFICATION:

- a. Voluntary arrangement of visits to military installations with the aim of promoting the information exchange and experiences in relation to strategies, methods and policies on borders control.
- b. Military cooperation program and contacts.
- c. According to the mandate set out in paragraph five of the Decision of Bariloche, verify border situations and bring resulting conclusions to the Council of Head of States and Government to consider courses of action to follow.
- d. It is proposed to request the South American Defense Council to draft procedures that are considered most appropriate to make more effective the verification of the commitments of paragraph IV. d.
- e. It is proposed to request the South American Defense Council to draft procedures that are considered most appropriate to make more effective the verification of the commitments of numerals IIIb.; IIIc.; IIId.; and to request the same of the South American Counter-narcotics Council as appropriate.

12. WORLDWIDE NARCOTICS PROBLEM.

Considering the worldwide incidences of narcotics problems and the joint responsibility of the producing and consuming countries on regional security, hold the next summoning, by the Pro Tempore Presidency of Ecuador, of the South American Counter-narcotics Council for the purposes set forth in the Decision of Bariloche. Promote and verify the cooperation of the Member States of UNASUR in the fight against trafficking of narcotics or illegal drugs in all areas (cultivation, production, fabrication, transit, traffic and distribution).

13. FINAL AND TEMPORARY PROVISIONS.

The agencies responsible for ensuring the effective materialization of the measures agreed upon by consensus in this document, and with respect to the different regulations within the Member States of UNASUR, will be the South American Defense Council, the Council of Ministers of Foreign Relations and the South American Counter-narcotics Council, according to their respective competences.

The executive body of the South American Defense Council may consider other matters requiring effective guarantees for regional cooperation within the framework of the creation of confidence building measures to be considered by the Foreign Ministers and Defense Ministers.

The executive body of the South American Defense Council may suggest, without prejudice to the outlined measures, further action not expressly provided in this document to be considered or

approved by the Council of Ministers of Foreign Relations or the South American Defense Council.

The following proposals were welcomed for Member States'

consideration:

--Draft Protocol of Peace, Security and Cooperation of UNASUR, formulated by the Government of Peru;

--Draft Decision for the initiation of a process of discussion and negotiation of a Security Architecture for UNASUR, brought by the Government of Chile; and,

--Draft "Code of Conduct on Defense and Security Issues" submitted by the Government of Ecuador.

Member States agreed to instruct the South American Defense Council to develop a UNASUR Protocol of Peace, Security and Cooperation that will provide the basis for a South American Security Architecture and serve as a Code of Conduct for the region. Said protocol should contemplate the promotion of confidence building measures, transparency in defense and security issues, including defense expenditures, the rejection of the threat of use of force, the respect of the territorial integrity and sovereignty of each of the Member States of UNASUR, the non-intervention in internal affairs and the solution of any dispute by peaceful means, among others.

Member States will join forces to make UNASUR a preferred forum for dialogue and political cooperation for the peaceful coexistence of peoples. As such, UNASUR will strengthen South America as a Zone of Peace.

UNASUR considers it very important to invite the Government of the United States to a dialogue about strategic issues of defense, peace, security and development at an appropriate date that the Pro TC)mpore Presidency will coordinate.

The South American Defense Council will endeavor to complete the tasks described in its 2009/2010 Action Plan that includes several of the measures outlined above.

End text of unofficial translation.
NICHOLS